

Serial No. 09/809,244

REMARKS

The independent claims (1, 19, and 25) have been amended to specify that the third unit in the apparatus used to form the organic luminescence medium is at least one device selected from among a vapor depositing device, a sputtering device, an ion plating device, an electron beam evaporation device, a chemical vapor deposition device, a metal oxide chemical vapor deposition device, and a plasma enhanced chemical vapor deposition device. The Examiner is referred to the specification at page 29, line 25, to page 30, line 6, for support for the change. Moreover, the independent claims have been amended to specify that the water content in the organic luminescence medium after sealing with the sealing member is performed is no more than 0.05% by weight; claims 26 and 27 accordingly have been canceled. Support for this feature clearly also appears in the specification at page 42 to page 46 under the heading "Water content." (A minor change has been made in claim 8 as a result of the change in describing the third unit in claim 1.) The claims before the Examiner are claims 1 to 10 and 19 to 25.

Serial No. 09/809,244

The acceptance of the drawings filed July 8, 2003 is noted with appreciation.

The rejection of claims 1, 2, 6, 7, 10, and 19 to 27 under 35 USC 103 as unpatentable over Aoki et al. '350 in view of Zahuta et al. '639, if applied to the claims as amended, is respectfully traversed.

Applicants continue to rely upon the arguments presented in the Amendment Under 37 CFR 1.111 filed July 8, 2003 and respectfully submit that there is no proper reason or motivation given in the references themselves to combine them in an attempt, unsuccessful in any event, to arrive at the instantly claimed apparatus and method. The Examiner is referred to the arguments found on pages 14 to 16 of the July 8, 2003 reply; the joint teachings of the references do not lead the person of ordinary skill in the art to the present invention. Applicants again point out the Aoki et al. '350 describes a plasma display device (as the Examiner recognizes; see the paragraph bridging pages 11 and 12 and the first paragraph on page 12 of the Final Rejection) and does not teach an organic electroluminescent display device or an apparatus or method for producing same.

Serial No. 09/809,244

Applicants submit that the claims as revised patentably distinguish over the art for the following additional reasons.

An important feature of the present invention is the ability to suppress greatly the generation of dark spots by removing the water of the organic luminescence medium by heating a supporting substrate until the water content does not exceed 0.05 wt.%. See the discussion in the specification at page 44, line 17 to page 45, line 20 and Fig. 17. That drawing shows that the luminescence area ratio changes critically at the point when the water content becomes 0.05 wt. %. General statements about the general desirability of dehydrating a luminescence medium do not trump what is shown in the drawing, something clearly not discernable from a study of the references.

Moreover, in contrast to the present invention, neither reference discloses an organic electroluminescent element nor do they disclose the constituent elements thereof such as a supporting substrate, an organic luminescence medium, and the like. It is therefore impossible for the references in combination to teach or suggest the invention claimed here.

Applicants also point out that Aoki et al. '350 shows application of a fluorescent substance ink 25 to the channels

Serial No. 09/809,244

formed by partition walls 17 of a back glass substrate 15; see Fig. 7 of the reference. Ink is a necessary constituent element in the Aoki et al. '350 apparatus. Indeed, the Examiner discusses the need in Aoki et al. '350 to supply ink in various portions of the Final Rejection; see, for example, the paragraph at the bottom of page 2 and the first and third paragraphs on page 3.

In the instantly claimed apparatus and method, the third unit comprises at least one device selected from a vapor depositing device, a sputtering device, an ion plating device, an electron beam evaporation device, a chemical vapor deposition device, a metal oxide chemical vapor deposition device, and a plasma enhanced chemical vapor deposition device to form the organic luminescence medium; see again the related discussion on pages 29 and 30 of the specification. (See the particular arrangement of claim 9.) Ink is used in none of those devices and therefore the present invention patentably differs from whatever may be taught or suggested by the combination of Aoki et al. '350 and Zahuta et al. '639. The rejection should be withdrawn.

Serial No. 09/809,244

The rejections of claims 3 to 5 under 35 USC 103 as unpatentable over Aoki et al. '350 in view of Zahuta et al. '639, further in view of Itoh '939 and the rejection of claims 8 and 9 under 35 USC 103 as unpatentable over Aoki et al. '350 in view of Zahuta et al. '639 further in view of Robinson '893 are respectfully traversed. The tertiary references in each of these rejections do not overcome the deficiencies of the Aoki et al. '350 and Zahuta et al. '639 references discussed above. The rejection should be withdrawn as well.

In view of the foregoing revisions and remarks, it is respectfully submitted that claims 1 to 9 and 19 to 25 patentably define over the cited art and a USPTO paper to those ends is earnestly solicited.

Serial No. 09/809,244

The Examiner is requested to telephone the undersigned if additional changes are required in the case prior to allowance.

Respectfully submitted,

PARKHURST & WENDEL, L.L.P.

October 16, 2003
Date

Charles A. Wendel
Charles A. Wendel
Registration No. 24,453

CAW/ch
Attorney Docket No.: HEIW:006

PARKHURST & WENDEL, L.L.P.
1421 Prince Street
Suite 210
Alexandria, Virginia 22314-2805
Telephone: (703) 739-0220

RECEIVED
CENTRAL FAX CENTER

OCT 20 2003

OFFICIAL